

P.  
CONT.  
c. a third element, linked to and comprised in a separate polypeptide chain from said first and second elements, comprising a therapeutic element derived from a Clostridial neurotoxin able, when present in the cytoplasm of a pancreatic cell, to inhibit or block enzymatic secretion by said pancreatic cell, and wherein following binding of said first element to a pancreatic acinar cell said third element is transported across a pancreatic cell membrane.

#### REMARKS

This communication is being filed in reply to the Office Action mailed November 18, 2002. Applicants have carefully studied the Examiner's comments, and have the following remarks.

#### Rejection of Claims 1-24 under 35 USC § 112(1)

The Examiner has rejected claim 1-24 as allegedly indefinite in the recital of the phrase in claim 1 "containing an amino acid sequence region SEQ ID NO: 2". Applicants have therefore made the claim amendment suggested by the Examiner. Applicants thank the Examiner for indicating that the claims would be allowable if this amendment were made.


#### CONCLUSION

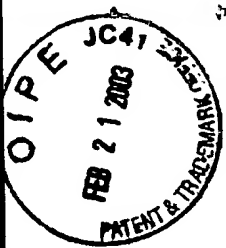
For the reasons given above, Applicants believe the pending claims are in ;condition for allowance, and respectfully request that the Examiner issue a Notice to that effect. If any fee is required in connection with this communication; please use Deposit Account 01-0885 for payment of any fee that may be due.

Respectfully submitted,

Date:

2/11/03

  
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MARKED-UP COPY OF AMENDED CLAIM

2. (6 times amended) A composition able to treat acute pancreatitis in a mammal comprising,
- a) a first element comprising a binding element selected from the group consisting of [a]i) a first peptide [containing] comprising an amino acid sequence consisting of [region] SEQ ID NO. 2 or a contiguous fragment thereof containing at least the 8 C-terminal residues of such region, wherein the C-terminal phenylalanine is amidated and/or the aspartic acid residue 7 amino acids from the C-terminus thereof is sulfated, and [b]ii) said first peptide wherein said phenylalanine and aspartic acid residue have not been modified, and wherein said binding element is able to specifically bind a CCK-A or CCK-B receptor under physiological conditions,
  - b) a second element comprising a translocation element derived from a Clostridial neurotoxin able to facilitate the transfer of a polypeptide across a vesicular membrane in a pancreatic cell, and
  - c) a third element, linked to and comprised in a separate polypeptide chain from said first and second elements, comprising a therapeutic element derived from a Clostridial neurotoxin able, when present in the cytoplasm of a pancreatic cell, to inhibit or block enzymatic secretion by said pancreatic cell, and wherein following binding of said first element to a pancreatic acinar cell said third element is transported across a pancreatic cell membrane.

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